THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

TAKEN UP WRIT PETITION NO. 4417 OF 2007
DATE: 13.3.2007

Between:

Vinod Jain S/o Balchand Jain, Shop 1-1-101/A/20, TRC Cross Roads, Hyderabad and one another

…Petitioners

AND

1.The Station House Officer, Chandranagar Police Station, Rangareddy District and two others.

….Respondents

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ORAL ORDER: **(per the Hon'ble Sri Justice D.APPA RAO)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the strength of a 'Telegram', dated 17.2.2007 sent by the petitioners alleging that Mr. Vinod Jain, S/o Balchand Jain, was taken away by Gandhi Narayana, Circle Inspector of Police, Central Crime Station, Balanagar on 23.2.2007 and trying to foist false cases against him.

3. Sub-Inspector of Police filed a counter affidavit inter alia, stating that a case in Crime No. 775 of 2006 was registered by Uppal Police Station for the offence under Sections 457 and 380 IPC when Mr. Alluri Raghavaiah gave a complaint alleging that some unknown persons committed theft in his brother's house at Sairamnagar Colony, Uppal. During investigation, it was revealed that the alleged detenu along with petitioners committed an offence and the alleged detenu was taken into custody on 28.2.2007 by the Police and produced before the learned III Metropolitan Magistrate, Cyberabad at L.B. Nagar, on 1.3.2007 who in turn remanded him to judicial custody. He was initially lodged at Central Prison, Cherlapally,

Hyderabad and subsequently, on 6.3.2007 he was enlarged on bail. In fact, the petitioner himself filed a regular Hebeas Corpus Writ Petition No. 3750 of 2007 on 26.2.2007 and the same is pending, which fact has been brought to the notice of this court by the learned counsel.

4. In view of the fact that the petitioner has been pursuing the remedy by way of another Writ Petition, without going into the merits of the case, we close the Writ Petition.

5. Accordingly, the Writ Petition is closed. No order as to costs.

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D.S.R.VARMA, J

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D. APPA RAO, J

Dated: 13.03.2007
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